

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 1:17-cr-2012-JMC

v.

ALAN WEBER,

Defendant.

**ORDER DIRECTING GOVERNMENT TO FILE A RESPONSE**

Defendant Alan Weber seeks early termination of the term of supervised probation previously imposed by the Court. On June 21, 2018, the Court sentenced Defendant to fifteen months of home detention and electronic monitoring and three years of supervised probation. Defendant has completed approximately two years and seven months of his term of supervised probation. United States Probation and Pretrial Services does not oppose the motion. The government takes no position and defers to Defendant's probation officer.

The Court ORDERS the government to file a response to Defendant's motion on or before **February 18, 2021**. In 18 U.S.C. § 3553(a)(6), Congress directed district courts to consider the need to avoid unwarranted sentence disparities among defendants with similar records who have been found guilty of similar conduct in determining a sentence. In its response, the government shall explain how the proposed modification of Defendant's sentence comports with that statutory provision. It would be particularly helpful if the government could direct the Court to other cases in this district where a Defendant who engaged in substantially similar conduct received initial leniency in the form of home confinement and supervised probation and still received an early termination of the term of supervised probation.

IT IS SO ORDERED.

Entered for the Court  
this the 11th day of February, 2021

/s/ Joel M. Carson III  
Joel M. Carson III  
United States Circuit Judge  
Sitting by Designation